

**PLEA MINUTE SHEET**  
**IN THE UNITED STATES DISTRICT COURT**  
**FOR THE DISTRICT OF NEW MEXICO (AT ALBUQUERQUE)**

**CR 19-564 WJ****UNITED STATES vs. Begay, et al.**

**Before The Honorable Kirtan Khalsa, United States Magistrate Judge**

Hearing Date:	4/16/2021	Time In and Out:	10:33-11:20	
Clerk:	E. Hernandez	Digital Recording:	[Select Digital Audio] Liberty-ABQ Zoom	
Defendant:	Lowell Begay	Defendant's Counsel:	Erlinda Johnson	
AUSA:	David Cowen	Interpreter:	[Select]	<input type="checkbox"/> Sworn <input type="checkbox"/> Waived

<input checked="" type="checkbox"/>	Defendant Sworn	<input type="checkbox"/>	First Appearance
<input checked="" type="checkbox"/>	Consent to proceed before a magistrate judge executed with full knowledge of meaning and effect.		
<input checked="" type="checkbox"/>	Deft acknowledges receipt of: <b>Superseding Indictment</b>		
<input type="checkbox"/>	If Deft proceeding by way of information, Deft acknowledges right to an indictment and waives that right.		
<input checked="" type="checkbox"/>	Terms and conditions of proposed plea agreement explained.	<input checked="" type="checkbox"/>	Defendant indicates understanding of its terms.
<input checked="" type="checkbox"/>	Factual predicate to sustain the plea provided.		
<input checked="" type="checkbox"/>	Deft questioned re Deft's age, education, physical/mental condition, and whether under the influence of alcohol, drugs, or any medication. Deft advised of charge(s), penalties and possible consequences of the plea.		
<input checked="" type="checkbox"/>	Deft advised of constitutional rights, loss of rights, and maximum possible penalties (including imprisonment, fine, supervised release, probation, SPA, restitution, and any forfeitures).		
<input checked="" type="checkbox"/>	Deft questioned re time to consult with attorney and if satisfied with his or her representation.		
<input checked="" type="checkbox"/>	Court finds Deft fully understands charge(s) and the consequences of entering a guilty plea to that charge (or those charges).		
<input checked="" type="checkbox"/>	Deft pleads GUILTY to: <b>Superseding Indictment</b> Count 1		
<input checked="" type="checkbox"/>	Allocution by Deft on elements of charge(s).		
<input checked="" type="checkbox"/>	Court finds plea freely, voluntarily, and intelligently made; plea of guilty accepted.		
<input checked="" type="checkbox"/>	Deft adjudged guilty.		
<input checked="" type="checkbox"/>	Acceptance of plea agreement deferred until final disposition hearing by district judge.		
<input checked="" type="checkbox"/>	Sentencing Date: <b>to be notified</b>		
<input checked="" type="checkbox"/>	Defendant to Remain in Custody		
<input type="checkbox"/>	Present conditions of release continued	<input type="checkbox"/>	Conditions changed to:
<input type="checkbox"/>	Penalty for failure to appear explained		
<input checked="" type="checkbox"/>	Presentence Report Ordered	<input checked="" type="checkbox"/>	Expedited - Not Form 13 but top priority

Other Matters: Court accepts Defendant's waiver; Court inquires as to why this hearing should be held at this time; Defense counsel and Government respond; Court makes findings as to why this hearing was held at this time; Defendant waives personal presence at hearing